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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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DERRICK L. JOHNSON,
Plaintiff,
v.
SCOTT KERNAN,
Defendant.

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Case No. 17-cv-05776-JD

ORDER OF DISMISSAL

Re: Dkt. No. 2

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Plaintiff, a state prisoner, has filed a civil rights action. Plaintiff was sent a notice that he had not paid the filing fee or submitted a complete application for leave to proceed in forma pauperis ("IFP"). He was allowed twenty-eight days to either pay the fee or file a proper application with all the required documents. More than twenty-eight days has passed and plaintiff has not paid the fee, filed a complete application to proceed IFP or otherwise communicated with the Court. Therefore, this case is **DISMISSED** without prejudice and plaintiff's motion for relief (Docket No. 2) is **DENIED**.

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IT IS SO ORDERED.

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Dated: January 9, 2018

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JAMES DONATO
United States District Judge

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4 DERRICK L. JOHNSON,
5 Plaintiff,
6 v.
7 SCOTT KERNAN,
8 Defendant.
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Case No. [17-cv-05776-JD](#)

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28 **CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on January 9, 2018, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Derrick L. Johnson ID: CDC AY-7574
CDC
P.O. Box 3476
Corcoran, CA 93212

Dated: January 9, 2018

Susan Y. Soong
Clerk, United States District Court

By: 
LISA R. CLARK, Deputy Clerk to the
Honorable JAMES DONATO